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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 8

Application Number 10/534,222

Filing Date May 6, 2005

First Named Inventor John Barry FINN

Art Unit Not Yet Assigned

Examiner Name Not Yet Assigned

Attorney Docket Number 123-002

RECEIVED

22 FEB 2006

Legal Staff
International Division**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1. Declaration under 37 CFR 1.47
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	2. Declaration and Power of Attorney
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	2. Check for \$195.00
<input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	3. Postcard
<input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Intellectual Property Law Office of Joel D. Voelzke		
Signature			
Printed name	Joel D. Voelzke		
Date	December 12, 2005	Reg. No.	37,957

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Justina S. Townsend	Date	December 12, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. : 123-002
First Named Inventor: : John Barry FINN
Application No. : 10/534,222
Filing Date : May 6, 2005
Art Unit : unassigned
Examiner's Name: : unassigned
Customer Number: : 47533

PETITION UNDER 37 CFR §1.47 REGARDING NON-SIGNING INVENTOR

1. As set forth in the accompanying papers, John Barry Finn and Brian Douglas Jenkins are co-inventors of the above-identified application.
2. The inventor's declaration of Mr. Jenkins is submitted herewith; however, as set forth in greater detail in the accompanying declaration of Mr. Jenkins, Mr. Finn refuses to sign the application.
3. The last known address for the non-signing inventor is:

John Barry Finn
1 Ourimbah Street
Lasarow, New South Wales 2250
Australia

WHEREFORE Applicant prays pursuant to 37 CFR §1.47 that that the application be allowed to proceed without the signature of the non-signing inventor.

12/19/2005 GFREY1 00000052 10534222

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Respectfully submitted,

INTELLECTUAL PROPERTY LAW OFFICE OF
JOEL D. VOELZKE

DATED: December 9, 2005

By:


Joel D. Voelzke
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International Division

**DECLARATION UNDER 37 CFR § 1.47 AND 37 CFR § 1.64
REGARDING NON-SIGNING INVENTOR**


I, Brian Douglas Jenkins, hereby declare as follows:

1. I am a Director of H2O Holdings Pty Ltd. ("H2O Holdings") in Australia.
2. In this capacity with H2O Holdings, I worked together with John Barry Finn, who was also a Director of H2O Holdings at the time.
3. Working together, Mr. Finn and I jointly conceived and developed as co-inventors the invention entitled **A DISTILLATION UNIT AND A METHOD OF DISTILLATION**, for which U.S. Patent Application Serial No. 10/534,222 was filed on May 6, 2005.
4. Mr. Finn has ceased being an active Director of H2O Holdings and refuses to sign the inventor's declaration for this application.
5. I am advised that Mr. Finn's last known address is:

John Barry Finn
1 Ourimbah Street
Lisarow, New South Wales 2250
Australia

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 18th SEPTEMBER, 2005


Brian Douglas Jenkins